



# City of Cambridge

CALENDAR ITEM # 3

~~-12-~~

IN CITY COUNCIL

~~-November 23, 1992-~~

December 14, 1992

COUNCILLOR WALSH

WHEREAS: It has been called to the attention of certain City Councillors that spouses of Rent Control Board employees practice before the Board and are involved with rent control related cases; and

WHEREAS: Despite the fact that the State Ethic's Commission has approved this course of conduct, many citizens feel that these actions are paramount to an appearance of impropriety; and be it further

RESOLVED: That the City Solicitor prepare a ordinance to be submitted to the City Council prohibiting spouses or siblings of employees of City agencies from appearing before the boards or commissions that their spouses or siblings are employed with.

**REFERRED TO THE LAW DEPARTMENT FOR A REPORT  
REGARDING THE IMPLICATION OF THE CODE OF CONDUCT  
ORDINANCE.**

Petrucelly & Nadler, P.C.  
Attorneys at Law  
One Court Street, Suite 1000  
Boston, Massachusetts 02108  
Tel. (617) 720-1717  
Fax (617) 720-1765

*Y. Wong  
Read into the  
record as part  
of Exhibit #3*

RECEIVED 12/14/92  
DEC 02 1992  
Ans'd.....

Jeffrey Petrucelly  
Burton A. Nadler  
Karen B. Hoffman  
Christopher L. Maclachlan  
Shing J. Hsieh

*of counsel*  
Pamela A. Thomure  
*paralegal*  
Patricia A. Kenny

December 1, 1992

Hon. Kenneth Reeves, Mayor  
City of Cambridge -- City Hall  
795 Massachusetts Ave.  
Cambridge, MA 02139

Dear Mayor Reeves:

I am writing in response to the false accusations made by Councillor William Walsh at the November 16, 1992 City Council meeting. Although to answer the mis-statements might tend to dignify them, because they were made in such a public context, I feel that the record should be set straight for those who are unfamiliar with the facts.

First, the claim that my practice before the Rent Control Board is a conflict of interest is false. When my wife, Patricia Cantor, was hired in early 1983, the Board instituted an express policy and a clear practice that she would have no involvement whatsoever in any case in which I (or anyone associated with my law practice) represented a client before the Board. In cases where I have appeared, less than a handful a year, including both tenants and homeowners, the relationship between us is disclosed at the start of the proceedings and the policy explained. In 1985 this policy was formally approved by both the State Ethics Commission and the Massachusetts Bar Association Committee on Professional Ethics in response to our written requests regarding the propriety of the procedure. We have observed this policy and practice in both letter and spirit for nearly ten years. Anyone who has worked at the Board or with us can confirm that we have been scrupulous in our adherence to the highest ethical standards.



Similarly, the allegation that Board staff steers cases to me is untrue. I have not, to my knowledge, been referred a case at the Board by any staff member. Since the Board maintains public lists of lawyers who have requested that their names be included as interested in representing persons before the Board, and my name is included along with other lawyers, I may have received an inquiry on account of the list.

Perhaps Attorney Walsh has other reasons for impugning my character. He has represented landlords in cases where I have represented tenants. In one case he represented an institutional landlord who locked a tenant out of a rent controlled apartment and who refused to allow the tenant back into his home. In order to obtain the tenant's right to access to his dwelling, I was compelled to file a case in court which awarded damages for the illegal lockout.

In conclusion, it seems to me that because for many years I have defended rent control and have been an advocate for my clients, Councillor Walsh has now turned to the floor of the City Council in an attempt to malign my integrity. This attempt should not be tolerated.

Very truly yours,



Jeffrey Petrucelly

JP/dv



# City of Cambridge

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IN CITY COUNCIL

November 23, 1992

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**WHEREAS:** Despite the fact that the State Ethic's Commission has approved this course of conduct, many citizens feel that these actions are paramount to an appearance of impropriety; and be it further

**RESOLVED:** That the City Solicitor prepare a ordinance to be submitted to the City Council prohibiting spouses or siblings of employees of City agencies from appearing before the boards or commissions that their spouses or siblings are employed with.

**CHARTER RIGHT EXERCISED BY COUNCILLOR DUEHAY.**



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November 17, 1992

COUNCILLOR WALSH

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WHEREAS, despite the fact that the State Ethic's Commission has approved this course of conduct, many citizens feel that these actions are paramount to an appearance of impropriety.

RESOLVED, that the City Solicitor prepare an ordinance to be submitted to the City Council prohibiting spouses or siblings of employees of City agencies from appearing before the boards or commissions that their spouses or siblings are employed with.



# CAMBRIDGE CITY COUNCIL

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4280

FAX (617) 349-4287

William H. Walsh  
City Councillor

November 17, 1992

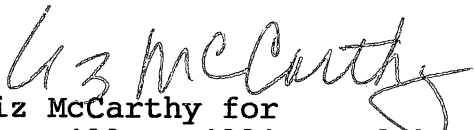
John Flynn  
Assistant City Clerk  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, Massachusetts 02139

Dear Jackie:

Enclosed herewith please find three Orders. Two are consent agenda items and the Order regarding the State Ethic's Commission is a non-consent agenda item.

If you have any questions, you may contact me at 547-1772.  
Thank you.

Very truly yours,

  
Liz McCarthy for  
Councillor William Walsh

HAND DELIVERY

orders/b(C)-A



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IN CITY COUNCIL

November 23, 1992

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Non Consent Order # 12

0-44

Councillor Walsh re: ordinance to prohibit spouses or siblings of employees of city agencies from appearing before the boards or commissions.

In City Council,

November 23, 1992

*Charter Right  
exercised by Councillor  
Duckey*

*12/14/92 Referred to the  
Law Dept for a  
report re: implication  
of Code of Conduct  
Ordinance*

*Copy sent to Law Dept  
12/16/92 @*